

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION

ADOLFO ROMERO,

Petitioner,

v.

WILLIAM STEPHENS, Director  
Texas Department of Criminal Justice,  
Correctional Institutions Division,

Respondent.

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2:14-CV-219

**ORDER OVERRULING OBJECTIONS AND  
ADOPTING REPORT AND RECOMMENDATION**

Petitioner has filed with this Court a petition for a federal writ of habeas corpus. On February 26, 2015, respondent filed a Motion to Dismiss with Brief in Support and therein urged the Court to dismiss petitioner's habeas application as time barred. On May 15, 2015, the Court held an evidentiary hearing at which it considered:

1. Evidence and argument on the issue of when petitioner knew or should have known his plea and conviction in Cause No. 57,876-E resulted in a 10-year sentence to run consecutive to his other 4 concurrent sentences.

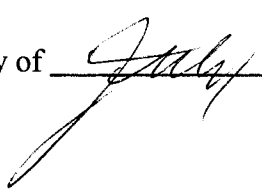
On June 1, 2015, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein that respondent's motion to dismiss be denied. On June 18, 2015, respondent filed objections to the Magistrate Judge's Report and Recommendation. On July 6, 2015, upon Court order, petitioner filed his Response to respondent's objections.

The undersigned United States District Judge has made an independent examination of the record in this case and has considered the objections made by respondent to the Report and Recommendation. The objections filed by respondent are hereby OVERRULED and the Magistrate

Judge's Report and Recommendation is ADOPTED. Accordingly, the petition for a writ of habeas corpus shall proceed in due course. Respondent's Motion to Dismiss is DENIED.

IT IS SO ORDERED.

ENTERED this 14<sup>th</sup> day of July 2015.

  
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MARY LOU ROBINSON  
UNITED STATES DISTRICT JUDGE